

Baker & Hostetler LLP

45 Rockefeller Plaza

New York, NY 10111

Telephone: (212) 589-4200

Facsimile: (212) 589-4201

David J. Sheehan

Oren J. Warshavsky

Geoffrey A. North

Eric B. Hiatt

Peter B. Shapiro

Michelle R. Usitalo

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and the
Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

HSBC BANK PLC, et al.,

Defendants.

Adv. Pro. No. 09-01364 (SMB)

**CERTIFICATE OF NO OBJECTION TO TRUSTEE’S MOTION FOR ENTRY OF AN
ORDER PURSUANT TO SECTION 105(a) OF THE BANKRUPTCY CODE AND
RULES 2002 AND 9019 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE
APPROVING A SETTLEMENT AGREEMENT BY AND BETWEEN
THE TRUSTEE, LAGOON INVESTMENT LIMITED, AND
HERMES INTERNATIONAL FUND LIMITED**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protect Act, 15 U.S.C. §§ 78aaa–III (“SIPA”) and the substantively consolidated estate of Bernard L. Madoff (“Madoff,” and together with BLMIS, collectively, the “Debtors”), by and through his undersigned counsel, submits this certificate pursuant to Local Bankruptcy Rule 9075-2, and respectfully represents:

1. On June 27, 2017, the Trustee filed the Motion for Entry of Order Pursuant to Section 105(a) of the Bankruptcy Code and Rules 2002 and 9019 of the Federal Rules of Bankruptcy Procedure Approving a Settlement Agreement by and between the Trustee, Lagoon Investment Limited, and Hermes International Fund Limited (the “Motion”) (Adv. Pro. No. 09-01364 (SMB), ECF No. 459).

2. The deadline for filing objections to the Motion expired on July 19, 2017 at 5:00 p.m. A hearing on the Motion has been scheduled for July 26, 2017 at 10:00 a.m.

3. Notice of Motion was provided by U.S. Mail, postage prepaid or email to (i) defendants in the adversary proceeding; (ii) all parties included in the Master Service List as defined in the Order Establishing Notice Procedures (*Sec. Inv’r Prot. Corp. v. Bernard L. Madoff Inv. Sec. LLC*, No. 08-1789 (SMB), ECF No. 4560); (iii) all parties that have filed a notice of appearance in this case; (iv) the SEC; (v) the IRS; (vi) the Acting United States Attorney for the Southern District of New York; and (vii) SIPC, pursuant to the Order Establishing Notice Procedures (ECF No. 4560).

4. Counsel has reviewed the Court’s docket not less than forty-eight (48) hours

after expiration of the time to file an objection and, to date, no objection, responsive pleading, or request for a hearing with respect to the Motion appears thereon. Additionally, no party has indicated to the Trustee that it intends to oppose the relief requested in the Motion.

5. An electronic copy of the proposed order (the “Order”), that is substantially in the form of the proposed order that was annexed to the Motion will be submitted to the Court, along with this certificate.

6. Pursuant to Local Bankruptcy Rule 9075-2, the Trustee respectfully requests that the Order be entered without a hearing.

Respectfully submitted,

Dated: July 21, 2017
New York, New York

BAKER & HOSTETLER LLP

By: /s/ David J. Sheehan
45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
Email: dsheehan@bakerlaw.com
Oren J. Warshavsky
Email: owarshavsky@bakerlaw.com
Geoffrey A. North
gnorth@bakerlaw.com
Eric B. Hiatt
ehiatt@bakerlaw.com
Peter B. Shapiro
pshapiro@bakerlaw.com
Michelle R. Usitalo
musitalo@bakerlaw.com

*Attorneys for Irving H. Picard, Trustee for the
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